

REMARKS

In the outstanding Official Action, objection was taken to several noted informalities. In response, a new introductory clause to the claims section has been provided as requested, and the phrase "fig. 7" on the last line on page 32 has been deleted. With regard to the suggestion that section headings be added, Applicants acknowledge this suggestion, but respectfully decline to add the suggested headings as they are not required in accordance with MPEP §608.01(a).

Regarding the noted informality in the disclosure, it was suggested in the Action that the specification contains drawings on pages 25 and 26.

In response, it is respectfully submitted that all of the drawings are contained within the drawings section of the instant application, comprising 13 sheets of drawings with 23 figures. The material contained on pages 25 and 26 of the instant specification is in fact a reference table of symbols and formulas employed in the instant application. In accordance with 37 CFR 1.58(a) tables, formulas and the like are permissible within the specification, and it is respectfully submitted that pages 25 and 26 do not contain any impermissible drawings or flow diagrams, as the latter are contained exclusively and properly in the drawings sections of the application.

The foregoing matter was discussed with reference to related and commonly-assigned copending Application No. 09/933,556 (cited in the instant Action) in a telephone interview with Examiner Mai on June 3, 2005. The Examiner there agreed that formulas and tables are in fact permissible, and it was further agreed that the instant specification would be amended in order to more clearly and precisely indicate that the material presented on pages 26 and 27 of that specification (corresponding to pages 25 and 26 of the instant application) does in fact comprise a table of symbols, formulas and the like, rather than impermissible drawings or flow diagrams. It is respectfully submitted that the table of symbols, formulas and the like in the instant application is likewise permissible.

Claims 1-21 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of co-pending application no. 09/933,556 (our docket no. PHNL 000474). However, it was indicated that claims 1-21 of the instant application would be allowed if a terminal disclaimer is timely filed and the conflicting application is shown to be commonly owned with the instant application. Accordingly, a terminal disclaimer is herewith timely filed in compliance with 37CFR1.321(c), and copies of assignments in both applications are provided herewith to establish common ownership.

In view of the foregoing, it is respectfully submitted

that all of the objections contained in paragraph one of the outstanding Action have been overcome, and that the instant application is now in condition for allowance in view of the terminal disclaimer filed herewith. Accordingly, it is respectfully submitted that the instant application is now in condition for allowance, and favorable consideration is earnestly solicited.

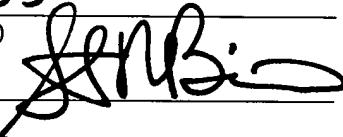
Respectfully submitted,

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